

1 GARY A. CARDINAL  
2 Assistant General Counsel  
3 Nevada Bar No. 76  
4 University of Nevada, Reno  
5 1664 North Virginia Street/MS 0550  
6 Reno, Nevada 89557-0550  
7 (775) 784-3495  
8 (775) 327-2202--FAX  
9 Attorney for Defendants

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COUNSEL/PARTIES OF RECORD	
<b>OCT 30 2013</b>	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

7 UNITED STATES DISTRICT COURT  
8 DISTRICT OF NEVADA

9 ★★★★★

10 Case No.: 3:12-cv-00529-MMD-VPC

11 JOSEPH P. CUVIELLO and  
12 DENIZ BOLBOL

13 Plaintiffs,

**STIPULATED DISCOVERY PLAN AND  
SCHEDULING ORDER**

14 vs.

**Fed. Rules Civ. Proc., 26(f)  
LR 26-1(d)**

15 STATE OF NEVADA, ex rel BOARD OF  
16 REGENTS OF NEVADA SYSTEM OF  
17 HIGHER EDUCATION on behalf of the  
18 UNIVERSITY OF NEVADA, RENO,  
19 ("UNR"): on behalf of UNIVERSITY OF  
20 NEVADA, RENO POLICE OFFICER JON  
21 MARTINEZ, LAWLOR EVENTS CENTER  
22 HEAD OF SECURITY MIKE MCCLEARLY  
23 and DOES 1-10, in their individual and  
24 official capacities, Jointly and Severally,

25 Defendants.

26 Plaintiffs and Defendants jointly submit this proposed Stipulated Discovery Plan  
27 and Scheduling Order:

28 **1. Dates of Pertinent Filings:**

- a. Complaint filed – 10/1/12;
- b. First Appearance by Defendants (Motion to Dismiss) – 1/9/13;
- c. First Amended Complaint filed – 1/24/13;

- 1 d. Stipulation to Stay Discovery filed – 2/7/13;
- 2 e. Order Granting Discovery Stay filed – 3/14/13;
- 3 f. Order Granting University's Motion to Dismiss filed – 9/16/13; and
- 4 g. Answer to First Amended Complaint filed – 9/30/13.
- 5 2. **Date of FRCP 26(f) Conference:** The parties conferred by telephone on
- 6 10/24/13 and stipulated to the following discovery plan and Scheduling Order.
- 7 3. **Changes to Disclosures- FRCP 26(f)(3)(A):** The parties propose no
- 8 changes to the timing, form or requirements for Initial Disclosures under FRCP 26(a).
- 9 a. Defendants served their Initial Disclosures on 9/30/13.
- 10 b. Plaintiffs will serve their Initial Disclosures by November 7, 2013.
- 11 4. **Subjects of Discovery – FRCP 26(f)(3)(B):** The parties will conduct
- 12 discovery on each and all elements of Plaintiffs' claims under 42 U.S.C. § 1983, § 1985
- 13 and § 1988. The parties will conduct discovery on each and all affirmative defenses set
- 14 forth in Defendants' Answer to Amended Complaint.
- 15 5. **Discovery Issues – FRCP 26(f)(3)(C):** The parties do not anticipate any
- 16 unusual discovery issues at this time.
- 17 6. **Privileged or Confidential Matters – FRCP 26(f)(3)(D):** Defendants
- 18 reserve the right to seek a protective order regarding any discovery request that calls for
- 19 the production of confidential or privileged materials. Personnel files are confidential
- 20 under either Nevada Administrative Code 284.718 or the Nevada System of Higher
- 21 Education Code §5.6.2, which has the force and effect of law. *State ex rel. Richardson*
- 22 *v. Board of Regents*, 70 Nev. 144, 150, 261 P.2d 515, 518 (1953) and *Board of Regents*
- 23 *v. Oakley*, 97 Nev. 605, 608, 637 P.2d 1199, 1202 (1981).
- 24 7. **Changes in Limitations on Discovery – FRCP 26(f)(3)(E):** The parties
- 25 do not anticipate the need for changes to the limitations on discovery at this time.
- 26 8. **Discovery Cutoff – LR 26-1(e)(1):** 180 days from the date of
- 27 Defendants' Answer sets the discovery cutoff at Saturday, March 29, 2014. Because
- 28 this is a non-judicial day, the parties propose a deadline of ***Monday, March 31, 2014.***

1           9.     **Deadline to Amend Pleadings – LR 26-1(e)(2):** 90 days prior to the  
 2 close of discovery sets the deadline to file amended pleadings at Wednesday, January  
 3 1, 2014. Because this is a non-judicial day, the parties propose a deadline of  
 4 ***Thursday, January 2, 2014.***

5           10.   **Deadline to Disclose Expert Witnesses – LR 26-1(e)(3):** 60 days prior  
 6 to the close of discovery sets the deadline to disclose expert witnesses at ***Thursday,***  
 7 ***January 30, 2014.***

8           11.   **Deadline to Disclose Rebuttal Expert Witnesses – LR 26-1(e)(3):** 30  
 9 days after the disclosure of expert witnesses sets the deadline to disclose rebuttal  
 10 experts at Saturday, March 1, 2014. Because this is a non-judicial day, the parties  
 11 propose a deadline of ***Monday, March 3, 2014.***

12           12.   **Deadline to File Dispositive Motions – LR 26-1(e)(4):** 30 days after the  
 13 discovery cutoff sets the deadline to file dispositive motions at ***Wednesday, April 30,***  
 14 ***2014.***

15           13.   **Deadline to File Joint Pretrial Order – LR 26-1(e)(5):** 30 days after the  
 16 date set for filing dispositive motions sets the date for filing the Joint Pretrial Order at  
 17 ***Friday, May 30, 2014 if no dispositive motions are filed. Should dispositive***  
 18 ***motions be filed, the date for filing the Joint Pretrial Order shall be suspended***  
 19 ***until 30 days after decision of the dispositive motions.***

20           14.   **Trial Date:** Both Plaintiffs and Defendants anticipate filing dispositive  
 21 motions in this case. Therefore, no trial date is suggested.

22           DATED:     10/28/13

/s/ Gary A. Cardinal

GARY A. CARDINAL  
 Attorney for Defendants

23           DATED:     10/25/13

DENIZ BOLBOL  
 In Pro Se

24           DATED:     10/25/13

JOSEPH P. CUNY  
 In Pro Se

THIS IS SO ORDERED  
 U.S. MAGISTRATE JUDGE

DATED *October 30, 2013*

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IT IS SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2013.

MAGISTRATE VALERIE P. COOKE

**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of the University of Nevada, Reno, over the age of eighteen years, that I am not a party to the within action, and that on the 28<sup>th</sup> day of October, 2013, I electronically filed the foregoing **STIPULATED DISCOVERY PLAN AND SCHEDULING ORDER**, with the Clerk of the Court by using the CM/ECF system and served the following parties by U.S. mail, postage prepaid, addressed to:

JOSEPH P. CUVIELLO  
PO Box 2834  
Redwood City, CA 94064

DENIZ BOLBOL  
PO Box 2834  
Redwood City, CA 94064

/s/ Catherine M. Bandoni  
Employee of the University of Nevada, Reno